

**0. A. CALL TO ORDER** – Mayor Bublak called the meeting to order at 6:02 p.m.

**B. SALUTE TO THE FLAG**

*Mayor Bublak announced that members of Council and staff are participating in the meeting via teleconference. Mayor Bublak also advised that the Council meeting will be streamed on the City’s website, YouTube, and Spectrum Channel 2.*

*Mayor Bublak also announced that members of the public will be given the opportunity to address the Council during public participation as well during the presentation of discussion items and noted the City Clerk will provide additional details once we near the public participation section of the meeting.*

**C. ROLL CALL:**

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**PRESENT:** Councilmembers Becky Arellano (*via teleconference*), Nicole Larson (*via teleconference*), Andrew Nosrati (*via teleconference*), Gil Esquer (*via teleconference*), and Mayor Amy Bublak.

**ABSENT:** None

**D. DECLARATION OF CONFLICTS:** None

**1. CLOSED SESSION:**

*The Closed Session item(s) for this meeting have been agendized and will be heard toward the latter part of the meeting.*

**2. APPROVAL OF AGENDA AS POSTED OR AMENDED**

This is the time for the City Council to remove items from the agenda or to change the order of the agenda. Matters may be taken up out of order of the established agenda by a four-fifths vote of the City Council.

Mayor Bublak announced that at the request of Councilmember Esquer and staff, Agenda Item 9B will be removed from the agenda and postponed to a date uncertain and noted public comment would be heard for this item.

Interim City Manager Michael I. Cooke announced that Interim Fire Chief Gary Carlson would be providing an oral update later in the meeting regarding COVID-19.

**Action:** Motion by Councilmember Esquer, seconded by Councilmember Larson, Approving the agenda as amended. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**3. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS:**

A. Proclamation: Vietnam Veterans Day, March 29, 2020

Mayor Bublak presented a Proclamation in recognition of Vietnam Veterans Day, March 29, 2020.

*City Clerk Jennifer Land announced that members of the public will be given the opportunity to address Council on items that are within the subject matter jurisdiction of the City Council and on any item on tonight's agenda.*

*For items listed on the agenda, we ask that you please defer your comments until that item is heard by the Council.*

*For those who are interested in addressing the Council, please press \*5 once the Mayor opens public comment and before she closes public comment.*

*Members of the public will be allotted three (3) minutes for comments and will be taken in the order of which requests are received. When it is a member's turn to speak, they will hear an automated prompt indicating their line has been unmuted – and that is when the three (3) minutes will begin.*

*Lastly, we request members who choose to address the Council to please state their first and last name in the event any follow up is needed; however, this is not mandatory.*

**4. PUBLIC PARTICIPATION:**

The following members of the public spoke:

Terri Shaver

Staff provided brief comment in response to public comment.

**5. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE**

**Action:** Motion by Councilmember Nosrati, seconded by Councilmember Larson, Waiving reading of all Ordinances on the agenda, except by title. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**6. CONSENT CALENDAR:**

Mayor Bublak confirmed that members of Council have reviewed all items on the Consent Calendar before taking action.

**Action:** Motion by Councilmember Nosrati, seconded by Councilmember Larson, adopting the consent calendar. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2020-028:** Accepting Weekly Demands of 2/27/20 in the amount of \$1,461,960.78
- B. **Motion:** Accepting Minutes of the Special Meeting of February 11, 2020
- C. **Motion:** Approving Contract Change Order No. 4 in the amount of \$25,000 (Fund 413) and Change Order No. 5 in the amount of \$208,044.50 (Fund 413) with CW Roen Construction of Danville, California for City Project No. 15-39C "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification" (upgrade and expansion of the wastewater treatment plant) bringing the contract total to \$19,612,444.68
- D. **Motion:** Approving Contract Change Order No. 10 for a credit in the amount of (\$36,699.51) (Non-General Fund – Fund 218), for City Project No. 17-30 "West Main Corridor Rehabilitation" bringing the contract total to \$7,990,033.34
- E. **Motion:** Accepting improvements for City Project No. 17-46 "Sewer Lift Station #49 Pump Replacement" and authorizing the City Engineer to file a Notice of Completion
- F. **Motion:** Accepting improvements for City Project No. 18-35 "Corp Yard Transit Parking Extension" and authorizing the City Engineer to file a Notice of Completion
- G. **Motion:** Awarding bid and approving an Agreement in the amount of \$835,120.00 (Non-General Fund - Fund 246) with VSS International of West Sacramento, California, for City Project No. 18-51 "2019 Slurry Seals"
- H.
  1. **Resolution No. 2020-029:** Determining acceptance of the 2019 General Plan Annual Report is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) (Preliminary Review) of the CEQA Guidelines
  2. **Resolution No. 2020-030:** Accepting the 2019 General Plan Annual Report pursuant to California Government Code Section 65400(a)(2) to be submitted to the Governor's Office of Planning and Research and the California Department of Housing and Community Development
- I. **Motion:** Approving Amendment No. 2 to an Agreement with Falany Fence Co., for fence repair and installation services for various City projects on an "as-needed" basis, increasing the annual compensation by \$20,000 for a total contract amount not to exceed \$ 50,000
- J. **Resolution No. 2020-031:** Accepting donations made to the City of Turlock Parks, Recreation and Public Facilities Department from various donors in July 2019 through December 2019 in the amount of \$444 (monetary donations) in account number 270-61-635-399.37200\_000 "Donations General" and \$350 (non-monetary donations) to fund/aid a variety of Parks, Recreation and Public Facilities Department programs, scholarships, and activities
- K. **Motion:** Approving an Agreement with Avenu MuniServices, LLC, for Business License Tax Discovery, Audit, and Administrative Services to ensure fair, equal and accurate payment of business license tax and auditing of Transient Occupancy Taxes, for a period of two (2) years, with an option to extend the Agreement for three (3) additional one-year terms

- L. **Resolution No. 2020-032:** Appropriating \$16,000 to account number 116-30-305.30000\_000 “Budget Opening Balance General” from Fund 116 “Special Public Safety – Fire” unallocated reserves for the purchase of safety equipment
- M. **Resolution No. 2020-033:** Approving the purchase and delivery of a main control panel, ruggedized video throw-phone, and laptop computers with constant recording capabilities, in a total amount not to exceed \$30,143; \$27,143 from account number 266-20-255-341.51107\_006 “JAG Expenses 2017-DJ-BX-0920” and \$3,000 from 110-20-210 as a transfer of unexpended funds in 110-20-210.44030\_001 “Minor Equipment Safety Equipment”
- N. **Resolution No. 2020-034:** Appropriating \$6,000 to account number 202-20-245.41100\_001 “Overtime Standard” from Fund 202 “Bicycle Safety” unallocated reserves
- O. **Resolution No. 2020-035:** Accepting donations made to the City of Turlock Police Department from various donors during the second quarter of Fiscal Year 2019-20 in the amount of \$2,293.19 (monetary donations) and \$3,477.98 (non-monetary donations) utilized in support of the City’s Animal Services, Blue Santa, and K9
- P. **Motion:** Accepting the City of Turlock’s audited Financial Statements for the Transportation Development Act for the fiscal year ended June 30, 2019

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Deputy Director of Development Services Katie Quintero presented the staff report on the request to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Rezone 2019-03, Planned Development 278 (PD 278) AND amend the Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code [Rezone 2019-03 (FQC Inc)] AND establish Conditions of Approval for Planned Development 278 (FQC Inc)

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Milt Trieweiler  
 FQC Inc. Ben Pinfield (applicant)

Mayor Bublak closed the public hearing.

**Action:** **Resolution No. 2020-036:** Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Rezone 2019-03, Planned Development 278 (PD 278) as introduced by Councilmember Esquer, seconded by Councilmember Arellano, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Motion by Councilmember Larson, seconded by Councilmember Arellano, Introducing an Ordinance Amending the Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code [Rezone 2019-03 (FQC Inc)] and setting the final reading date for April 14, 2020. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Mayor Bublak announced that the resolution establishing conditions will be considered at the April 14, 2020 City Council Meeting:

**Resolution:** Establishing Conditions of Approval for Planned Development 278 (FQC Inc)

**9. ACTION ITEMS:**

- A. Acting Police Chief Miguel Pacheco presented the staff report on the request to accept a monetary donation to the City of Turlock Police Department K9 Program from Tri County Blue Line Alliance in the amount of \$7,500 and appropriate said funds to account number 266-20-255-346.47115 “K-9 Expenses” in Fund 266 “Police Services Grants” in support of the purchase of a police service dog, equipment, and necessary training.

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Tri County Blue Line Alliance Vice President and Chief Financial Officer Pam Franco

Mayor Bublak closed public participation.

**Action:** **Resolution No. 2020-037:** Accepting a monetary donation to the City of Turlock Police Department K9 Program from Tri County Blue Line Alliance in the amount of \$7,500 and appropriating said funds to account number 266-20-255-346.47115 “K-9 Expenses” in Fund 266 “Police Services Grants” in support of the purchase of a police service dog, equipment, and necessary training as introduced by Councilmember Larson, seconded by Councilmember Nosrati, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

*Mayor Bublak spoke regarding Action Items 9B having been removed from the agenda, noted no action would be taken, and opened public participation.*

B. *Item removed from the agenda.*

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Triewailer

Mayor Bublak closed public participation.

C. Interim City Manager Michael I. Cooke presented the staff report on the request to ratify the Director of Emergency Services (Interim City Manager) Proclamation of Existence of a Local Emergency in response to COVID-19 AND appropriate \$150,000 to account number 110-10-189.41100\_001 for Salary and 110-10-189 various for Benefits for Overtime, \$25,000 to account number 110-10-189.41002\_000 for Salary and 110-10-189 various for Benefits for Part-Time, and \$25,000 to account number 110-10-189.44001\_000 for Supplies-General from Fund 110 General Fund unallocated reserves to establish a budget in response to the Existence of a Local Emergency related to COVID-19

Interim City Manager Cooke also spoke regarding the appropriation process and the ability to administratively move/transfer the \$200,000 within the COVID related accounts based on actual needs and expenses and that staff would come back to Council in the future if additional funds are needed.

City Clerk Jennifer Land (at the request of City Attorney White) announced that the declaration of emergency is required to allow local small businesses to apply for grants and loans from the federal and state government.

Council and staff discussed this item including the reimbursement process, proposed allocation amount, tracking and reporting mechanisms (staff time and resources), Emergency Operations Center (EOC) staffing, potentially increasing the allocated amount, and implementing checks and balances.

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Triewailer  
Molly Amant  
Reverend Jeff Woods

Mayor Bublak closed public participation.

Council and staff provided brief comment in response to public comment.

Council and staff further discussed this item including lists of restaurants (for take-out) and businesses currently open, small business assistance, recommendation to increase the

allocation to \$500,000, demonstrating commitment and preparedness for the community, and reporting requirements for associated expenses (update every two weeks).

Councilmember Esquer introduced a modified motion to amend the resolution to \$500,000. Councilmember Arellano seconded the modified motion.

City Clerk Jennifer Land confirmed the \$500,000 is a total budget with staff having the ability to administratively move funds within the three accounts. Councilmembers Esquer and Arellano confirmed.

**Action:**        **Resolution No. 2020-038:** Ratifying the Director of Emergency Services (Interim City Manager) Proclamation of Existence of a Local Emergency in response to COVID-19 as introduced by Councilmember Esquer, seconded by Councilmember Arellano, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**Resolution No. 2020-039:** Appropriating \$500,000 to various account numbers within 110-10-189 for Salary and Benefits for Overtime and Part Time and Supplies from Fund 110 General Fund unallocated reserves to establish a budget in response to the Existence of a Local Emergency related to COVID-19 as introduced by Councilmember Esquer, seconded by Councilmember Arellano, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**10. CITY MANAGER REPORTS/UPDATES:**

Interim Fire Chief Gary Carlson provided an update regarding COVID-19 including practicing cleanliness and maintaining social distancing, stay at home order, activation of City of Turlock and Stanislaus County Emergency Operations Centers and coordinated efforts, City’s Incident Action Plan (IAP), development of the City’s Incident Command System (ICS) Finance Branch to track time and materials, the Public Information Officer (PIO) for outreach and communication, and the Liaison to coordinate with partners, operational changes and new protocols to ensure public safety, minimize exposures, and employee wellness, website updates, Turlock Unified School District food services, Emanuel Medical Center triage services, Fire Department call volumes and response measures, and requested direction from Council to suspend the Fire Department’s current staffing model (Limited Response Vehicle), returning to the normal staffing model, to better respond to COVID-19 and instill confidence with citizens and Fire staff.

Council and staff discussed this item.

Mayor Bublak opened public participation. No one spoke. Mayor Bublak closed public participation.

Council and staff further discussed this item and requested the Interim City Manager and Interim Fire Chief to coordinate expenditure and reimbursement processes as well as exploration of any

changes to the Fire Department staffing model to address COVID-19 (funded through the \$500,000 allocated earlier in the meeting by Council).

Interim City Manager Michael I. Cooke provided an update regarding closure requirements (in compliance with the Governor's Order) for non-essential businesses.

**11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:**

Mayor Bublak spoke regarding the importance of the Transient Occupancy Tax (TOT) deferral and eviction ordinance.

**12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:**

Councilmember Larson expressed thanks to City staff and fellow Council members for their COVID-19 response and coordination efforts.

Councilmember Arellano acknowledged parents who are homeschooling their children, praised the hard work of teachers, and offered prayers for all those who are dealing with COVID-19.

Councilmember Nosrati expressed thanks to City staff and commended the community for their efforts with COVID-19.

Councilmember Esquer expressed thanks to the Emergency Operations Center (EOC) team for their efforts and communication and offered his assistance. Councilmember Esquer also expressed thanks to those who are still working and urged parents to keep children at home to maintain social distancing.

Mayor Bublak expressed thanks to IT staff for their assistance with the teleconference system, activation of the City's Emergency Operations Center (EOC) for representation of the community, giving grace to the number of people impacted by COVID-19, and shared news regarding award of CDBG and HOME funds, having signed onto two initiatives for the City of Turlock through the US Conference of Mayors, and encouraged calmness and social distancing.

**13. CLOSED SESSION:**

*City Attorney Douglas L. White introduced the Closed Session Items. City Attorney White also announced that Closed Session will be held via teleconference and will not be open to the public and noted if there is any reportable action, it will be reported out (via teleconference) before the conclusion of the meeting.*

- A. Liability Claims, Cal. Gov't Code §54956.95  
*"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."*  
Claimant: Carroll, Marsha L.  
Agency Claimed Against: City of Turlock

- B. Public Employee Discipline/Dismissal/Release, Cal. Gov't Code §54957
- C. Threat to Public Services or Facilities, Cal. Gov't Code §54957(a)  
*"This chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a threat to the public's right of access to public services or public facilities."*  
Consultation with: Interim City Manager Michael I. Cooke and City Attorney Douglas L. White

**14. REPORTS FROM CLOSED SESSION:**

City Clerk Jennifer Land reported for Closed Session Item 13A (Claim Filed Against the City by Marsha L. Carroll) the City Council by a 5/0 vote rejected this claim for damages.

City Clerk Jennifer Land reported for Closed Session Item 13B the Council by a 5/0 vote approved a resignation agreement with an employee.

City Clerk Jennifer Land reported for Closed Session Item 13C that Council provided direction to staff, but no reportable action was taken.

**15. ADJOURNMENT**

Mayor Bublak adjourned the regular meeting at 9:22pm. Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Jennifer Land  
City Clerk